REMARKS

The Non-Final Office Action, mailed March 20, 2007, considered claims 1–42. Claims 1–42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson, U.S. Patent Pub. No. 2002/0129054 (filed Aug. 14, 2001) (hereinafter Ferguson) and Khan, U.S. Patent Pub. No. 2002/0032611 (filed Mar. 5, 2001) (hereinafter Khan).[1]

By this response, claims 1 and 10 are amended such that claims 1–42 remain pending. Claims 1, 10, 19, 25, 31, and 37 are independent claims which remain at issue. Support for the amendments may be found within Specification pp. 4, & 11–16.[2]

As reflected in the claims, the present invention is directed generally toward enabling web views to be displayable within application dialog boxes thereby enhancing the functionality of the application. Claim 1 recites, for instance, in combination with all the elements of the claim, a dialog object sending a request to a server, receiving a response from the server. The application determines if the server supports a web view page for an application dialog box, and, upon determining that the server supports a web view page for the dialog box, it receives a web view page from the server. The application displays the web view page within the dialog box, which receives user input corresponding to an element in the web view. It is then determined if the element is to be processed by a browser module and, if so, processing the element by the browser module, or, if not, passing appropriate information about the element to the dialog box. Claim 10 recites a method similar to that of claim 1 but is directed toward the server providing web views instead of the application receiving web views. Claim 19 is a computer program product embodiment of the method recited in claim 1. Claim 25 is a computer program product embodiment of the method recited in claim 10. Claim 31 is a system embodiment of the method recited in claim 1. Claim 37 is a system embodiment of the method recited in claim 10.

Concerning claim 1, the Examiner cites to Ferguson ¶¶ 44, 50–51, 53–54, and 164–69 for teaching "determining if the server supports a web view page for a particular application dialog box;" and "upon determining that the server supports a web view page for the particular

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

application dialog box, receiving a web view page from the server."[3] The Applicants respectfully submit, however, that the cited portion of Ferguson (as well as Ferguson in combination with Khan) fails to teach or suggest the recited elements of the claim.

In particular, Ferguson and Khan fail to teach or suggest determining if a server supports a web view page for a particular application dialog box. The Examiner argues that "the spreadsheet . . . receives a web view page . . . from the server upon determination that the network/internet functionalities are supported, i.e., requested by the user."[4] Firstly, being "requested by the user" does not inherently or necessarily teach that any determination of support has occurred. It is certainly possible for a user to request an item without determining if the item is supported. Further, both Ferguson and Khan fail to teach or suggest an affirmative act that support is determined for a *particular* dialog box.

The Applicants concede that receiving a web page from a server is well-known and ubiquitous. However, "the claimed invention as a whole must be considered"[5] when determining obviousness under 35 U.S.C. § 103 and interpreting a claimed invention requires consideration of all claim limitations.[6] In the present invention, the web view page is received "upon determining that the server supports a web view *for a particular application dialog box*." Both Khan and Ferguson fail to teach or suggest such an element. Ferguson and Khan fail to teach or suggest that the web view page is received upon determination (of support). The Applicants submit that all the limitations of the claim have not been duly considered and, when so considered, render the claim distinct from Khan and Ferguson.

The Applicants respectfully note that if the Examiner wishes to argue that any element (or combination of elements) of the present claims is inherently taught by the prior art references, then the Examiner must provide rationale or evidence tending to show inherency. "The fact that a certain result or characteristic *may* occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic."[7] If the Examiner wishes to argue that receiving the web view page is upon determining that the server supports a web view page for the particular

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[3] Office Comm. p. 3.
[4] Office Comm. p. 3.
[5] MPEP § 2141.02.
[6] MPEP § 2116.01.
[7] MPEP § 2112; *see also In re Rijckaert*, 9 F.3d 1531, 1534 (Fed. Cir. 1993).

application dialog box, then the Applicants respectfully request the Examiner provide the requisite rationale or evidence to supply the teachings which are not explicit within Ferguson or Khan.

Claim 10 recites a method similar to that of claim 1 but recited from the perspective of the server (as opposed to, as in claim 1, being recited from the perspective of the application). The Examiner had cited to the same paragraphs of Ferguson and Khan for teaching claim 10[8] as were cited for teaching claim 1. Correspondingly, the above discussion applies equally to claim 10.

Notwithstanding the distinctions over the prior art being noted, the Applicants have amended independent claims 1 and 10 to more particularly point out the present invention. Applicants have amended claim 1 to recite that the determination of whether the server supports a web view for a particular dialog box is made by the recognition of an attribute. This is done to point out that it is determined if the server supports a web view for a *particular* dialog. Further, claim 1 has been amended to recite that a determination is provided which is capable of distinguishing between an element to be processed by a browser module and when it is to be processed by the dialog box.

Similarly to claim 1, claim 10 has been amended to point out that the determination is made by the recognition of an attribute. Further, claim 10 has been amended to more particularly point out the responses formatted by the server in based upon the determination having been made whether or not the server supports a web view for the particular dialog box.

The Applicants respectfully submit that the claims as now recited are distinct over that taught by Ferguson and Khan and should now be in condition for allowance. Claims 19, 25, 31, and 37 are computer program product and systems embodiments of the methods as recited in claims 1 and 10 and, so, they too should be in condition for allowance.

In view of the foregoing, Applicants respectfully submit that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official

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[8] Office Comm. pp. 4–6.

Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 20th day of June, 2007.

Respectfully submitted,

RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant
Customer No. 47973

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